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14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION

17 UNITED STATES OF AMERICA, ) No. CR 10-00244 MHP  
18 Plaintiff, )  
19 v. )  
20 MICHAEL ANTHONY NELSON, )  
21 Defendant. )  
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26 STIPULATION AND [PROPOSED]  
27 ORDER EXCLUDING TIME FROM  
28 MARCH 7, 2011, TO APRIL 11, 2011.

29 With the agreement of the parties in open court on March 7, 2011, and with the consent of the  
30 defendant Michael Anthony Nelson, the Court enters this order (1) setting a status conference in  
31 District Court on April 11, 2011, at 10:00 a.m., and (2) documenting the exclusion of time under  
32 the Speedy Trial Act, 18 U.S.C. § 3161, from March 7, 2011, to April 11, 2011. The Court finds  
33 and holds, as follows:

34 1. Counsel for both parties represented that discovery is ongoing in the matter and that  
35 completing discovery will require the resolution of certain attorney-client privilege issues.  
36 2. Counsel for defendant requires additional time to review items that the government has made

37 [PROPOSED] ORDER EXCLUDING TIME  
38 CR 10-00244 MHP

1 available for inspection. The defendant, who is in custody and was present in court, requested  
2 that time be excluded from the Speedy Trial Act from March 7, 2011, to April 11, 2011, to allow  
3 defense counsel further preparation and to allow the parties to conduct needed investigation. The  
4 government agreed to the proposed exclusion of time.

5 2. The Court finds that, taking into account the public interest in the prompt disposition of  
6 criminal cases, granting the continuance to April 11, 2011, is necessary for effective preparation  
7 of defense counsel. 18 U.S.C. § 3161(h)(7)(B)(iv). Given these circumstances, the Court finds  
8 that the ends of justice served by excluding the period from March 7, 2011, to April 11, 2011,  
9 outweighs the best interest of the public and the defendant in a speedy trial. 18 U.S.C. §  
10 3161(h)(7)(A).

11 3. Accordingly, and with the consent of the defendant, the Court (1) sets a status hearing on  
12 April 11, 2011 at 10:00 a.m., and (2) orders that the period from March 7, 2011, to April 11,

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1 2011 is excluded from Speedy Trial Act computation under 18 U.S.C. §§ 3161(h)(1)(D) and  
2 3161(h)(7)(A) and (B)(iv).

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4 IT IS SO STIPULATED.

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6 Dated: March 18, 2011

Respectfully submitted,

7 MELINDA HAAG  
8 United States Attorney

9  
10 /s/  
11 MICHELLE J. KANE  
12 Assistant United States Attorney

13 Dated: March 18, 2011

14 BARRY PORTMAN  
15 Federal Public Defender

16 /s/  
17 RONALD C. TYLER  
18 Assistant Federal Public Defender  
19 Counsel for Michael Anthony Nelson

20 IT IS SO ORDERED.

21 DATED: 3/22/2011

